

Kahler, Pam

From: Groshek, Dave
Sent: Tuesday, March 04, 2014 10:22 AM
To: Kahler, Pam
Subject: Revisions to Riemer Transitional Jobs P-Draft (LRB-4287/P1)

Hi Pam-

Below are responses to your questions in the drafters note, along with individual notes in the body of the draft. In addition, we have a couple of other changes that I have specified as well. Finally, there are two items I need to talk to you over the phone with. Depending on the answers, we may have two additional changes/additions, but that is contingent on our conversation. I will follow up on this email with a phone call.

Drafters Note Questions

- 1) We want to see what the new statute will look like, so we will repeal and recreate s. 49.163
- 2) Retain s. 49.163(5) and s.49.163(6) *← no rules (leave (6) out of draft)*

Your Questions in "Notes" Within Body of the Draft

- 1) Page 7, Line 10 Note: We do not plan to address this.
- 2) Page 7, Line 16 Note: We do not fully understand the question. I can discuss this with you.
- 3) Page 9, Line 15 Note: Yes, we do want regular audits by LAB under s.13.94(1)
- 4) Page 10, Line 13 Note: Second option given – where trial employment match program *is* paying for the TJ, no reimbursement agreement or requirement is needed. Where trial employment match program *does not* pay for the TJ, the reimbursement agreement and requirement should apply.

Other Revisions To The Draft/Questions From The Draft

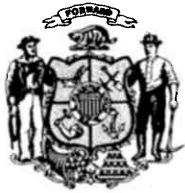
- 1) Page 8, Line 9: Change "30" to "40."
- 2) Page 8, Line 24 – Page 9, Line 5: Does this mean DCF shall contract with *all* of the entities listed? We just want it be a requirement that DCF shall select which entity to contract with.
- 3) Page 11, Line 1 – 2: Do not repeal, but delay until July 1, 2017. We are worried funds allocated for current TJ program may spill over to FY 2015, and don't want those to just end. Can DCF carry over any funds for the current TJ program? If so, then as drafted would probably work.
- 4) Page 4, Line 10: Delete "small." *def out, too*
Page 9, Line 22: After "small," add "and large." *→ just out*
- 5) Page 4, Line 21: Change "250" to "200."
- 6) In the reimbursement section (page 10), do we need to add language to explicitly require DCF and DOR to jointly develop procedures/rules for allowing reimbursement payments to be included on WI individual income tax returns, including an option for automatic application of tax refunds to reimbursement? *leave as is for now*
- 7) Regarding tracking performance of the TJ program (Page 9), I need to discuss with you a potential way to track performance not found in the draft. *put in note (b-note) re. audits*

That should be it for now. Thanks Pam, and I will follow up soon to ask about numbers 6 & 7 in the section immediately above. We can also discuss any questions you have for me, as well.

Dave

add → to fed or state min wage → "whichever is higher"

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State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4287/EM

PJK:wlj/f

stays

rm is run

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

pk

in 3-7
SOON

regenerate ↓

1 AN ACT *to repeal* 49.163 (2) (am) 2., 49.163 (2) (am) 5., 49.163 (2) (am) 6., 49.163
2 (2) (b), 49.163 (2) (c), 49.163 (3) (a) 3. a., 49.163 (3) (b), 49.163 (5), 49.163 (6) and
3 49.175 (1) (k); *to renumber* 49.163 (2) (am) (intro.), 49.163 (3) (a) (intro.),
4 49.163 (3) (a) 1., 49.163 (3) (a) 3. b., 49.163 (3) (a) 3. c., 49.163 (3) (a) 3. d. and
5 49.163 (3) (a) 5.; *to renumber and amend* 49.163 (2) (a), 49.163 (2) (am) 1.,
6 49.163 (2) (am) 3., 49.163 (2) (am) 4., 49.163 (3) (a) 2., 49.163 (3) (a) 3. (intro.),
7 49.163 (3) (a) 4. and 49.163 (4) (except 49.163 (4) (title)); *to amend* 49.155 (1m)
8 (a) 3r., 49.163 (title), 49.163 (1) (am) and 49.163 (2) (title); *to repeal and*
9 *recreate* 49.163 (4) (title); and *to create* 20.437 (2) (em), 20.437 (2) (g), 49.163
10 (1) (ac), 49.163 (1) (ar), 49.163 (1) (at), 49.163 (2m) (title), 49.163 (2m) (d), 49.163
11 (3) (ac), 49.163 (3) (am), 49.163 (3) (c), 49.163 (3) (d), 49.163 (3) (f) 1., 49.163 (4)
12 (am) and 49.163 (5m) of the statutes; **relating to:** the Transform Milwaukee

Jobs program and the Transitional Jobs program, granting rule-making authority, and making appropriations.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Insert 2-3 →

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

	2015-16	2016-17
20.437 Department of Children and Families		

(2) ECONOMIC SUPPORT

(em) Transitional Jobs program	50,000,000	100,000,000
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SECTION 2. 20.437 (2) (em) of the statutes is created to read:

20.437 (2) (em) *Transitional Jobs program*. The amounts in the schedule for the Transitional Jobs program under s. 49.163.

SECTION 3. 20.437 (2) (g) of the statutes is created to read:

20.437 (2) (g) *Transitional job reimbursements*. All moneys received under s. 49.163 (5m) (b) 2., for the Transitional Jobs program under s. 49.163.

SECTION 4. 49.155 (1m) (a) 3r. of the statutes, as affected by 2013 Wisconsin Act 113, is amended to read:

49.155 (1m) (a) 3r. Participate in the Transform Milwaukee Jobs program, or the Transitional Jobs program, under s. 49.163.

1 **SECTION 5.** 49.163 (title) of the statutes, as affected by 2013 Wisconsin Act 113,
2 is amended to read:

3 **49.163 (title) ~~Transform Milwaukee Jobs program and Transitional~~**
4 **Jobs program.**

5 **SECTION 6.** 49.163 (1) (ac) of the statutes is created to read:

6 49.163 (1) (ac) "Employer" means a person in this state who is required to file
7 a quarterly federal tax return under section 3121 of the Internal Revenue Code (26
8 USC 3121).

9 **SECTION 7.** 49.163 (1) (am) of the statutes, as created by 2013 Wisconsin Act
10 113, is amended to read:

11 49.163 (1) (am) "Program" means ~~the Transform Milwaukee Jobs program, or~~
12 ~~the Transitional Jobs program, under this section.~~

13 **SECTION 8.** 49.163 (1) (ar) of the statutes is created to read:

14 49.163 (1) (ar) "Small employer" means an employer that employed an average
15 of at least 2 but not more than 50 employees on business days during the preceding
16 year, or that is reasonably expected to employ an average of at least 2 but not more
17 than 50 employees on business days during the current year if the employer was not
18 in existence during the preceding year.

19 **SECTION 9.** 49.163 (1) (at) of the statutes is created to read:

20 49.163 (1) (at) "Transitional job" means a job under the program.

21 **SECTION 10.** 49.163 (2) (title) of the statutes, as created by 2013 Wisconsin Act
22 20, is amended to read:

23 49.163 (2) (title) ~~ELIGIBILITY FOR~~ ESTABLISHMENT OF PROGRAM.

24 **SECTION 11.** 49.163 (2) (a) of the statutes, as affected by 2013 Wisconsin Act 113,
25 is renumbered 49.163 (2) and amended to read:

1 49.163 (2) The department shall establish ~~a Transform Milwaukee Jobs~~
2 ~~program in Milwaukee County and, if funding is available, may establish a the~~
3 ~~Transitional Jobs program outside of Milwaukee County. To the extent of available~~
4 ~~funds, the department shall conduct the Transitional Jobs program, if established,~~
5 ~~in one or more geographic areas in the state that are not in Milwaukee County. In~~
6 ~~selecting the geographic area or areas in which to conduct the Transitional Jobs~~
7 ~~program, the department shall give priority to those areas with relatively high rates~~
8 ~~of unemployment and childhood poverty to help unemployed and underemployed~~
9 ~~Wisconsin residents gain, through wage-paying employment, the skills needed to~~
10 ~~move as quickly as possible into unsubsidized employment and to assist small~~
11 ~~employers in Wisconsin in creating new jobs.~~

12 **SECTION 12.** 49.163 (2) (am) (intro.) of the statutes, as affected by 2013
13 Wisconsin Act 113, is renumbered 49.163 (2m) (intro.).

14 **SECTION 13.** 49.163 (2) (am) 1. of the statutes, as created by 2013 Wisconsin Act
15 20, is renumbered 49.163 (2m) (a) and amended to read:

16 49.163 (2m) (a) Be a Wisconsin resident who is at least 18 years of age.

17 **SECTION 14.** 49.163 (2) (am) 2. of the statutes, as created by 2013 Wisconsin Act
18 20, is repealed.

19 **SECTION 15.** 49.163 (2) (am) 3. of the statutes, as created by 2013 Wisconsin Act
20 20, is renumbered 49.163 (2m) (b) and amended to read:

21 49.163 (2m) (b) Have an annual household income that is below ²⁰⁰150 ²⁵⁰
22 percent of the poverty line.

23 **SECTION 16.** 49.163 (2) (am) 4. of the statutes, as created by 2013 Wisconsin Act
24 20, is renumbered 49.163 (2m) (c) and amended to read:

1 49.163 (2m) (c) Be unemployed or employed for fewer than 30 hours per week,
2 or a combination of those, for at least 4 consecutive weeks.

3 **SECTION 17.** 49.163 (2) (am) 5. of the statutes, as created by 2013 Wisconsin Act
4 20, is repealed.

5 **SECTION 18.** 49.163 (2) (am) 6. of the statutes, as created by 2013 Wisconsin Act
6 20, is repealed.

7 **SECTION 19.** 49.163 (2) (b) of the statutes, as affected by 2013 Wisconsin Act
8 113, is repealed.

9 **SECTION 20.** 49.163 (2) (c) of the statutes, as created by 2013 Wisconsin Act 20,
10 is repealed.

11 **SECTION 21.** 49.163 (2m) (title) of the statutes is created to read:

12 49.163 (2m) (title) ELIGIBILITY FOR PROGRAM.

13 **SECTION 22.** 49.163 (2m) (d) of the statutes is created to read:

14 49.163 (2m) (d) Except for an individual specified in sub. (5m) (a) 2., sign a
15 reimbursement agreement under sub. (5m) (a) 1.

16 **SECTION 23.** 49.163 (3) (a) (intro.) of the statutes, as created by 2013 Wisconsin
17 Act 20, is renumbered 49.163 (3) (intro.).

18 **SECTION 24.** 49.163 (3) (a) 1. of the statutes, as created by 2013 Wisconsin Act
19 20, is renumbered 49.163 (3) (bm).

20 **SECTION 25.** 49.163 (3) (a) 2. of the statutes, as created by 2013 Wisconsin Act
21 20, is renumbered 49.163 (3) (e) and amended to read:

22 49.163 (3) (e) The department shall determine and specify in a contract
23 whether a contractor under sub. (4) (bm) or an employer is the individual's employer
24 of record. The employer of record shall pay the individual for hours actually worked
25 at not less than the federal or state minimum wage that applies to the individual.

1 **SECTION 26.** 49.163 (3) (a) 3. (intro.) of the statutes, as created by 2013
2 Wisconsin Act 20, is renumbered 49.163 (3) (f) (intro.) and amended to read:

3 49.163 (3) (f) (intro.) The department ~~may reimburse~~ shall pay an employer,
4 or a contractor under sub. (4) (bm), that employs an individual ~~participating in the~~
5 ~~program for a minimum of 20 hours per week in a transitional job~~ at a location in this
6 state for any all of the following costs actually incurred by the employer or contractor
7 ~~that are attributable to the employment of the individual under the program in the~~
8 transitional job:

9 **SECTION 27.** 49.163 (3) (a) 3. a. of the statutes, as created by 2013 Wisconsin
10 Act 20, is repealed.

11 **SECTION 28.** 49.163 (3) (a) 3. b. of the statutes, as created by 2013 Wisconsin
12 Act 20, is renumbered 49.163 (3) (f) 2.

13 **SECTION 29.** 49.163 (3) (a) 3. c. of the statutes, as affected by 2013 Wisconsin
14 Act 113, is renumbered 49.163 (3) (f) 3.

15 **SECTION 30.** 49.163 (3) (a) 3. d. of the statutes, as created by 2013 Wisconsin
16 Act 20, is renumbered 49.163 (3) (f) 4.

17 **SECTION 31.** 49.163 (3) (a) 4. of the statutes, as created by 2013 Wisconsin Act
18 20, is renumbered 49.163 (3) (g) and amended to read:

19 49.163 (~~3~~) (g) An employer, or, subject to the approval of the department, a
20 contractor under sub. (4) (bm), that employs an individual participating in the
21 program may pay the individual an amount that exceeds any wage subsidy paid to
22 the employer or contractor by the department under ~~subd. 3. a. par. (f) 1.~~

23 **SECTION 32.** 49.163 (3) (a) 5. of the statutes, as created by 2013 Wisconsin Act
24 20, is renumbered 49.163 (3) (h).

25 **SECTION 33.** 49.163 (3) (ac) of the statutes is created to read:

1 49.163 (3) (ac) An individual who requests a transitional job from the person
2 with which the department has contracted under sub. (4) (bm) to administer the
3 program in the county in which the individual resides and who satisfies the eligibility
4 criteria under sub. (2m) shall be offered a transitional job under the terms and
5 conditions specified in this subsection, if the department has provided sufficient
6 funding to the person administering the program in the county in which the
7 individual resides. To the extent that requests for transitional jobs by eligible
8 individuals exceed the funding available for the jobs, the department shall establish
9 a waiting list based on an individual's length of unemployment or underemployment
10 and other factors related to an individual's need for work.

 ***NOTE: The department is required, in s. 49.163 (4) (bm) (intro.), to contract for
the administration of the program in each county, but there is no requirement to provide
any funding to a county. Do you want to address this?

11 **SECTION 34.** 49.163 (3) (am) of the statutes is created to read:

12 49.163 (3) (am) Subject to par. (bm), an individual may work in a transitional
13 job for not more than 6 months and may work in additional transitional jobs as long
14 as he or she continues to satisfy the eligibility criteria under sub. (2m). After working
15 in a transitional job, however, an individual is ineligible to work in another
16 transitional job for at least 4 weeks.

 ***NOTE: You decided to retain par. (bm) (which is current law s. 49.163 (3) (a) 1.)
so that DCF could determine and advise DOR of when an individual was finished with
the program for purposes of establishing the amount to be recovered through taxes. Since
that method is no longer being used to recover payments, you may not want to keep par.
(bm).

17 **SECTION 35.** 49.163 (3) (b) of the statutes, as created by 2013 Wisconsin Act 20,
18 is repealed.

19 **SECTION 36.** 49.163 (3) (c) of the statutes is created to read:

1 49.163 (3) (c) While an individual is employed in a transitional job and during
2 any period of ineligibility between transitional jobs required under par. (am), unless
3 the individual has other employment in the regular labor market for at least 20 hours
4 per week, the individual is required to seek permanent employment, as defined by
5 the department, in the regular labor market.

6 **SECTION 37.** 49.163 (3) (d) of the statutes is created to read:

7 49.163 (3) (d) 1. Except as provided in subd. 2., an individual who obtains a
8 transitional job must work at that job at least 8 hours per week but may not work
9 at that job more than 30 hours per week.

10 2. An individual working in a transitional job who has other employment in the
11 regular labor market may not work in the transitional job more hours than would
12 make his or her total work hours in the transitional job and the other employment
13 more than 40 hours per week.

14 **SECTION 38.** 49.163 (3) (f) 1. of the statutes is created to read:

15 49.163 (3) (f) 1. A subsidy equal to the federal minimum wage or the state
16 minimum wage, whichever is higher, for each hour of work actually performed by the
17 individual and for which the employer has paid the individual a wage.

18 **SECTION 39.** 49.163 (4) (title) of the statutes, as created by 2013 Wisconsin Act
19 20, is repealed and recreated to read:

20 49.163 (4) (title) ADMINISTRATION.

21 **SECTION 40.** 49.163 (4) (except 49.163 (4) (title)) of the statutes, as created by
22 2013 Wisconsin Act 20, is renumbered 49.163 (4) (bm), and 49.163 (4) (bm) (intro.)
23 and 2., as renumbered, are amended to read:

24 49.163 (4) (bm) (intro.) The department ~~may~~ shall contract with ~~any a~~ a person
25 ~~to administer the program under this section,~~ including a Wisconsin Works agency;

1 county department under s. 46.215, 46.22, or 46.23; local workforce development
2 board established under 29 USC 2832; or community action agency under s. 49.265,
3 in each county to administer the program in that county. The department, or the
4 agency or agencies with which the department contracts under this subsection, shall
5 do all of the following:

6 2. Provide, or identify employers to provide, transitional jobs for individuals
7 transitioning to unsubsidized employment from unemployment, underemployment,
8 limited work history, foster care, or other circumstances identified by the
9 department.

10 **SECTION 41.** 49.163 (4) (am) of the statutes is created to read:

11 49.163 (4) (am) The department shall administer the program. In addition to
12 any other duties specified in this section, the department shall do all of the following:

- 13 1. Promulgate any rules necessary for the operation of the program.
14 2. Cooperate with the legislative audit bureau in the performance of audits of
15 the program, if any.

****NOTE: Do you want to require regular audits of the program? See the specific
regular audits under s. 13.94 (1).

16 3. Annually, submit a report on the operation of the program to the legislature
17 under s. 13.172 (2) and to the governor.

18 4. Conduct, or enter into arrangements with independent academic or research
19 organizations to conduct, periodic evaluations of the effectiveness of the program in
20 reducing poverty and unemployment; helping unemployed and underemployed
21 Wisconsin residents gain, through wage-paying employment, the skills needed to
22 move as quickly as possible into unsubsidized employment; and assisting small
23 employers in Wisconsin in creating new jobs.

1 **SECTION 42.** 49.163 (5) of the statutes, as affected by 2013 Wisconsin Acts 20
2 and 113, is repealed.

3 **SECTION 43.** 49.163 (5m) of the statutes is created to read:

4 **49.163 (5m) REIMBURSEMENTS.** (a) 1. To participate in the program, an
5 individual shall agree, in writing, to reimburse the department for all amounts that
6 the department pays to an employer or contractor under sub. (3) (f) that are
7 attributable to the employment of the individual under the program.

8 2. Notwithstanding subd. 1., an individual is not required to sign a
9 reimbursement agreement or to reimburse the department for amounts paid under
10 sub. (3) (f) on behalf of the individual if, when the individual requests a transitional
11 job under sub. (3) (ac), the individual is participating in a trial employment match
12 program job under s. 49.147 (3), including an individual placed in a trial employment
13 match program job under s. 49.159 (1) (b) 2.

 ****NOTE: Is this what you intended, i.e., that the individual would be participating
in the trial employment match program at the time he or she applies for a transitional
job, or do you want the exception to the reimbursement to apply only to payments for time
worked in a transitional job while he or she is participating in the trial employment match
program?

14 (b) 1. The department shall promulgate rules establishing the terms and
15 conditions of reimbursement. The rules shall provide for reimbursement by
16 performance of in-kind services and shall set out the criteria for approving in-kind
17 reimbursement.

18 2. The department shall credit all reimbursements paid under this subsection
19 to the appropriation account under s. 20.437 (2) (g).

20 **SECTION 44.** 49.163 (6) of the statutes, as created by 2013 Wisconsin Act 20, is
21 repealed.

(END)

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4287/P2ins
PJK:.....

INSERT 2-3

1 **SECTION 1.** 13.94 (1) (r) of the statutes is created to read:

2 13.94 (1) (r) Periodically, perform financial audits and performance evaluation
3 audits of the Transitional Jobs program under s. 49.163 and file copies of the reports
4 of the audits with the distributees specified in par. (b).

 ****NOTE: Let me know if you do not want both types of audits. Also let me know
if you want to be more specific about how often the audit(s) must be performed, such as
annually.

 ****NOTE: The requirement to perform performance evaluation audits will give an
idea of the overall performance of the program, not the performance of individual
participants. If you want to track the performance of the individual participants, you
could require DCF to do that and to report its findings to the legislature. If you choose
that route, you should give DCF some guidance on what specific information you are
interested in finding out about the participants, the length of time you want a participant
to be tracked, etc.

5 **SECTION 2.** 13.94 (1s) (c) 9. of the statutes is created to read:

6 13.94 (1s) (c) 9. The department of children and families for the cost of the
7 audits under sub. (1) (r).

(END OF INSERT 2-3)

INSERT 11-2

8
9 **SECTION 3.** 49.163 of the statutes, as affected by 2013 Wisconsin Acts 20 and
10 113, is repealed and recreated to read:

11 **49.163 Transitional Jobs program. (1) DEFINITIONS.** In this section:

12 (a) "Employer" means a person in this state who is required to file a quarterly
13 federal tax return under section 3121 of the Internal Revenue Code (26 USC 3121).

14 (b) "Program" means the Transitional Jobs program under this section.

15 (c) "Transitional job" means a job under the program.

16 (d) "Wisconsin Works" has the meaning given in s. 49.141 (1) (p).

(e) "Wisconsin Works employment position" has the meaning given in s. 49.141
(1) (r).

(2) ESTABLISHMENT OF PROGRAM. The department shall establish the
Transitional Jobs program to help unemployed and underemployed Wisconsin
residents gain, through wage-paying employment, the skills needed to move as
quickly as possible into unsubsidized employment and to assist employers in
Wisconsin in creating new jobs.

(3) ELIGIBILITY FOR PROGRAM. To be eligible to participate in the program, an
individual must satisfy all of the following criteria:

(a) Be a Wisconsin resident who is at least 18 years of age.

(b) Have an annual household income that is below 200 percent of the poverty
line.

(c) Be unemployed or employed for fewer than 30 hours per week, or a
combination of those, for at least 4 consecutive weeks.

(d) Except for an individual specified in sub. (6) (a) 2., sign a reimbursement
agreement under sub. (6) (a) 1.

(4) PROGRAM DESCRIPTION. The program shall include all of the following
features and requirements:

(a) An individual who requests a transitional job from the person with which
the department has contracted under sub. (5) (b) to administer the program in the
county in which the individual resides and who satisfies the eligibility criteria under
sub. (3) shall be offered a transitional job under the terms and conditions specified
in this subsection, if the department has provided sufficient funding to the person
administering the program in the county in which the individual resides. To the
extent that requests for transitional jobs by eligible individuals exceed the funding

1 available for the jobs, the department shall establish a waiting list based on an
2 individual's length of unemployment or underemployment and other factors related
3 to an individual's need for work.

4 (b) Subject to par. (c), an individual may work in a transitional job for not more
5 than 6 months and may work in additional transitional jobs as long as he or she
6 continues to satisfy the eligibility criteria under sub. (3). After working in a
7 transitional job, however, an individual is ineligible to work in another transitional
8 job for at least 4 weeks.

9 (c) An individual may participate in the program for a maximum of 1,040 hours
10 actually worked.

11 (d) While an individual is employed in a transitional job and during any period
12 of ineligibility between transitional jobs required under par. (b), unless the
13 individual has other employment in the regular labor market for at least 20 hours
14 per week, the individual is required to seek permanent employment, as defined by
15 the department, in the regular labor market.

16 (e) 1. Except as provided in subd. 2., an individual who obtains a transitional
17 job must work at that job at least 8 hours per week but may not work at that job more
18 than 40 hours per week.

19 2. An individual working in a transitional job who has other employment in the
20 regular labor market may not work at the transitional job more hours than would
21 make his or her total work hours at the transitional job and the other employment
22 more than 40 hours per week.

23 (f) The department shall determine and specify in a contract whether a
24 contractor under sub. (5) (b) or an employer is the individual's employer of record.
25 The employer of record shall pay the individual for hours actually worked at not less

1 than the federal or state minimum wage, whichever is higher, that applies to the
2 individual.

3 (g) The department shall pay an employer, or a contractor under sub. (5) (b),
4 that employs an individual in a transitional job at a location in this state for all of
5 the following costs actually incurred by the employer or contractor that are
6 attributable to the employment of the individual in the transitional job:

7 1. A subsidy equal to the federal minimum wage or the state minimum wage,
8 whichever is higher, for each hour of work actually performed by the individual and
9 for which the employer has paid the individual a wage.

10 2. Federal social security and Medicare taxes.

11 3. State and federal unemployment insurance contributions or taxes, if any.

12 4. Worker's compensation insurance premiums, if any.

13 (h) An employer, or, subject to the approval of the department, a contractor
14 under sub. (5) (b), that employs an individual participating in the program may pay
15 the individual an amount that exceeds any wage subsidy paid to the employer or
16 contractor by the department under par. (g) 1.

17 (i) The employment of an individual under this section may not do any of the
18 following:

19 1. Have the effect of filling a vacancy created by an employer terminating a
20 regular employee or otherwise reducing its work force for the purpose of hiring an
21 individual under this section.

22 2. Fill a position when any other person is on layoff or strike from the same or
23 a substantially equivalent job within the same organizational unit.

24 3. Fill a position when any other person is engaged in a labor dispute regarding
25 the same or a substantially equivalent job within the same organizational unit.

1 **(5) ADMINISTRATION.** (a) The department shall administer the program. In
2 addition to any other duties specified in this section, the department shall do all of
3 the following:

- 4 1. Promulgate any rules necessary for the operation of the program.
- 5 2. Cooperate with the legislative audit bureau in the performance of the audits
6 under s. 13.94 (1) (r).
- 7 3. Annually, submit a report on the operation of the program to the legislature
8 under s. 13.172 (2) and to the governor.
- 9 4. Conduct, or enter into arrangements with independent academic or research
10 organizations to conduct, periodic evaluations of the effectiveness of the program in
11 reducing poverty and unemployment; helping unemployed and underemployed
12 Wisconsin residents gain, through wage-paying employment, the skills needed to
13 move as quickly as possible into unsubsidized employment; and assisting employers
14 in Wisconsin in creating new jobs.

 ****NOTE: This provision would have much the same effect as the performance
evaluation audits under proposed s. 13.94 (1) (r).

15 (b) The department shall contract with a person, including a Wisconsin Works
16 agency; county department under s. 46.215, 46.22, or 46.23; local workforce
17 development board established under 29 USC 2832; or community action agency
18 under s. 49.265, in each county to administer the program in that county. The
19 department, or the agency or agencies with which the department contracts under
20 this subsection, shall do all of the following:

- 21 1. Determine the eligibility of applicants for the program.

2. Provide, or identify employers to provide, jobs for individuals transitioning to unsubsidized employment from unemployment, underemployment, limited work history, foster care, or other circumstances identified by the department.

3. Conduct job orientation activities.

4. Provide employment services, as specified by the department, for program participants.

5. Maintain and update participant demographic, eligibility, and employment records in the manner required by the department.

(6) REIMBURSEMENTS. (a) 1. To participate in the program, an individual must agree, in writing, to reimburse the department for all amounts that the department pays to an employer or contractor under sub. (4) (g) that are attributable to the employment of the individual under the program.

2. Notwithstanding subd. 1., an individual is not required to sign a reimbursement agreement or to reimburse the department for amounts paid under sub. (4) (g) on behalf of the individual for time worked in a transitional job while the individual is also participating in a trial employment match program job under s. 49.147 (3), including an individual placed in a trial employment match program job under s. 49.159 (1) (b) 2.

(b) 1. The department shall promulgate rules establishing the terms and conditions of reimbursement. The rules shall provide for reimbursement by performance of in-kind services and shall set out the criteria for approving in-kind reimbursement.

2. The department shall credit all reimbursements paid under this subsection to the appropriation account under s. 20.437 (2) (g).

1 **(7) RECOVERY OF OVERPAYMENTS.** (a) The department may recover from any
2 individual participating, or who has participated, in the program any overpayment
3 resulting from a misrepresentation by the individual as to any criterion for eligibility
4 under sub. (3).

5 (b) The department shall recover from a contractor under sub. (5) (b) any
6 overpayment resulting from the failure of the contractor to comply with the terms
7 of the contract or to meet performance standards established by the department.

8 **SECTION 4.** 49.175 (1) (k) of the statutes, as affected by 2013 Wisconsin Act 113,
9 is amended to read:

10 49.175 (1) (k) *Transform Milwaukee and Transitional Jobs programs.* For
11 contract costs under the Transform Milwaukee Jobs program and the Transitional
12 Jobs program under s. 49.163, 2013 stats., \$3,750,000 in fiscal year 2013-14 and
13 \$5,000,000 in fiscal year 2014-15.

History: 1997 a. 27, 105, 236, 237, 252, 318; 1999 a. 9; 2001 a. 16, 104, 109; 2003 a. 33, 321, 327; 2005 a. 25, 254; 2007 a. 5, 20, 226; 2009 a. 2, 28; 2011 a. 10, 13, 32; 2013 a. 20, 113.

(END OF INSERT 11-2)

Kahler, Pam

From: Groshek, Dave
Sent: Wednesday, March 12, 2014 2:11 PM
To: Kahler, Pam
Subject: RE: Revisions to Riemer Transitional Jobs P-Draft (LRB-4287/P1)

Yeah, we do not want to limit the person to that provision in par. (c), since I guess it is possible for an individual to need to use the TJ program two different times in their working life. I just don't want it to be interpreted with that limitation. We only want to limit the time spent in one specific transitional job, not the program as a whole. Your suggestion seems to do the trick. Thanks, Pam.

Dave

From: Kahler, Pam
Sent: Wednesday, March 12, 2014 2:04 PM
To: Groshek, Dave
Subject: RE: Revisions to Riemer Transitional Jobs P-Draft (LRB-4287/P1)

David:

I don't the change requested makes sense, because 1040 hours will always be 6 months or more since a participant may not work at a transitional job for more than 40 hours per week. I think you should substitute 1040 hours actually worked as the maximum in par. (b) and get rid of par. (c). It sounds like you don't want to limit how long a person can stay in the program, correct?

From: Groshek, Dave
Sent: Wednesday, March 12, 2014 1:43 PM
To: Kahler, Pam
Cc: Riemer, Daniel
Subject: RE: Revisions to Riemer Transitional Jobs P-Draft (LRB-4287/P1)

Hi Pam-

To answer your questions in your notes on the /P2:

Page 2:

-We will do both kinds of audits, so your language is good. We have a couple of areas for specific information for DCF to track with the performance of individual participants, but it is not complete. Because of time constraints, we will keep language as is without adding that.

-We are not going to be specific with how often these audits will occur

Only one change to the draft:

Page 4, Line 18: Delete "the program," and substitute "a transitional job."

With that single change we are good to go and can convert it to a /1 draft. I am going to have to put a short deadline on this anyway. Thanks so much Pam!

--
David Groshek

Office of Representative Daniel Riemer
7th Assembly District
(o) 608.266.1733
(tf) 888.529.0007

From: Groshek, Dave
Sent: Tuesday, March 04, 2014 5:14 PM
To: Kahler, Pam
Subject: RE: Revisions to Riemer Transitional Jobs P-Draft (LRB-4287/P1)

Sorry Pam, I got swamped today. I will call you tomorrow on this.

--
David Groshek
Office of Representative Daniel Riemer
7th Assembly District
(o) 608.266.1733
(tf) 888.529.0007

From: Groshek, Dave
Sent: Tuesday, March 04, 2014 10:22 AM
To: Kahler, Pam
Subject: Revisions to Riemer Transitional Jobs P-Draft (LRB-4287/P1)

Hi Pam-

Below are responses to your questions in the drafters note, along with individual notes in the body of the draft. In addition, we have a couple of other changes that I have specified as well. Finally, there are two items I need to talk to you over the phone with. Depending on the answers, we may have two additional changes/additions, but that is contingent on our conversation. I will follow up on this email with a phone call.

Drafters Note Questions

- 1) We want to see what the new statute will look like, so we will repeal and recreate s. 49.163
- 2) Retain s. 49.163(5) and s.49.163(6)

Your Questions in "Notes" Within Body of the Draft

- 1) Page 7, Line 10 Note: We do not plan to address this.
- 2) Page 7, Line 16 Note: We do not fully understand the question. I can discuss this with you.
- 3) Page 9, Line 15 Note: Yes, we do want regular audits by LAB under s.13.94(1)
- 4) Page 10, Line 13 Note: Second option given – where trial employment match program *is* paying for the TJ, no reimbursement agreement or requirement is needed. Where trial employment match program *does not* pay for the TJ, the reimbursement agreement and requirement should apply.

Other Revisions To The Draft/Questions From The Draft

- 1) Page 8, Line 9: Change "30" to "40."
- 2) Page 8, Line 24 – Page 9, Line 5: Does this mean DCF shall contract with *all* of the entities listed? We just want it be a requirement that DCF shall select which entity to contract with.
- 3) Page 11, Line 1 – 2: Do not repeal, but delay until July 1, 2017. We are worried funds allocated for current TJ program may spill over to FY 2015, and don't want those to just end. Can DCF carry over any funds for the current TJ program? If so, then as drafted would probably work.
- 4) Page 4, Line 10: Delete "small."
Page 9, Line 22: After "small," add "and large."

- 5) Page 4, Line 21: Change "250" to "200."
- 6) In the reimbursement section (page 10), do we need to add language to explicitly require DCF and DOR to jointly develop procedures/rules for allowing reimbursement payments to be included on WI individual income tax returns, including an option for automatic application of tax refunds to reimbursement?
- 7) Regarding tracking performance of the TJ program (Page 9), I need to discuss with you a potential way to track performance not found in the draft.

That should be it for now. Thanks Pam, and I will follow up soon to ask about numbers 6 & 7 in the section immediately above. We can also discuss any questions you have for me, as well.

Dave

--

*David Groshek
Office of Representative Daniel Riemer
7th Assembly District
(o) 608.266.1733
(tf) 888.529.0007*



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4287/

PJK:wlj

stays

rmj

~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~

2013 Bill

SOON
(in 3-13)

Regen

1 AN ACT to amend 49.155 (1m) (a) 3r. and 49.175 (1) (k); to repeal and recreate
2 49.163; and to create 13.94 (1) (r), 13.94 (1s) (c) 9., 20.437 (2) (em) and 20.437
3 (2) (g) of the statutes; relating to: the Transform Milwaukee Jobs program and
4 the Transitional Jobs program, granting rule-making authority, and making
5 appropriations.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

6 SECTION 1. 13.94 (1) (r) of the statutes is created to read:
7 13.94 (1) (r) Periodically, perform financial audits and performance evaluation
8 audits of the Transitional Jobs program under s. 49.163 and file copies of the reports
9 of the audits with the distributees specified in par. (b).

****NOTE: Let me know if you do not want both types of audits. Also let me know if you want to be more specific about how often the audit(s) must be performed, such as annually.

****NOTE: The requirement to perform performance evaluation audits will give an idea of the overall performance of the program, not the performance of individual participants. If you want to track the performance of the individual participants, you could require DCF to do that and to report its findings to the legislature. If you choose that route, you should give DCF some guidance on what specific information you are interested in finding out about the participants, the length of time you want a participant to be tracked, etc.

SECTION 2. 13.94 (1s) (c) 9. of the statutes is created to read:

13.94 (1s) (c) 9. The department of children and families for the cost of the audits under sub. (1) (r).

SECTION 3. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

	2015-16	2016-17
--	---------	---------

20.437 Department of Children and Families

(2) ECONOMIC SUPPORT

(em) Transitional Jobs program	50,000,000	100,000,000
--------------------------------	------------	-------------

SECTION 4. 20.437 (2) (em) of the statutes is created to read:

20.437 (2) (em) *Transitional Jobs program*. The amounts in the schedule for the Transitional Jobs program under s. 49.163.

SECTION 5. 20.437 (2) (g) of the statutes is created to read:

20.437 (2) (g) *Transitional job reimbursements*. All moneys received under s. 49.163 (6) (b) 2., for the Transitional Jobs program under s. 49.163.

SECTION 6. 49.155 (1m) (a) 3r. of the statutes, as affected by 2013 Wisconsin Act 113, is amended to read:

49.155 (1m) (a) 3r. Participate in the ~~Transform Milwaukee Jobs program, or~~ the Transitional Jobs program, under s. 49.163.

1 **SECTION 7.** 49.163 of the statutes, as affected by 2013 Wisconsin Acts 20 and
2 113, is repealed and recreated to read:

3 **49.163 Transitional Jobs program. (1) DEFINITIONS.** In this section:

4 (a) “Employer” means a person in this state who is required to file a quarterly
5 federal tax return under section 3121 of the Internal Revenue Code (26 USC 3121).

6 (b) “Program” means the Transitional Jobs program under this section.

7 (c) “Transitional job” means a job under the program.

8 (d) “Wisconsin Works” has the meaning given in s. 49.141 (1) (p).

9 (e) “Wisconsin Works employment position” has the meaning given in s. 49.141
10 (1) (r).

11 **(2) ESTABLISHMENT OF PROGRAM.** The department shall establish the
12 Transitional Jobs program to help unemployed and underemployed Wisconsin
13 residents gain, through wage-paying employment, the skills needed to move as
14 quickly as possible into unsubsidized employment and to assist employers in
15 Wisconsin in creating new jobs.

16 **(3) ELIGIBILITY FOR PROGRAM.** To be eligible to participate in the program, an
17 individual must satisfy all of the following criteria:

18 (a) Be a Wisconsin resident who is at least 18 years of age.

19 (b) Have an annual household income that is below 200 percent of the poverty
20 line.

21 (c) Be unemployed or employed for fewer than 30 hours per week, or a
22 combination of those, for at least 4 consecutive weeks.

23 (d) Except for an individual specified in sub. (6) (a) 2., sign a reimbursement
24 agreement under sub. (6) (a) 1.

(4) PROGRAM DESCRIPTION. The program shall include all of the following features and requirements:

(a) An individual who requests a transitional job from the person with which the department has contracted under sub. (5) (b) to administer the program in the county in which the individual resides and who satisfies the eligibility criteria under sub. (3) shall be offered a transitional job under the terms and conditions specified in this subsection, if the department has provided sufficient funding to the person administering the program in the county in which the individual resides. To the extent that requests for transitional jobs by eligible individuals exceed the funding available for the jobs, the department shall establish a waiting list based on an individual's length of unemployment or underemployment and other factors related to an individual's need for work.

(b) Subject to par. (c), an individual may work in a transitional job for not more than 6 months and may work in additional transitional jobs as long as he or she continues to satisfy the eligibility criteria under sub. (3). After working in a transitional job, however, an individual is ineligible to work in another transitional job for at least 4 weeks.

(c) An individual may participate in the program for a maximum of 1,040 hours actually worked.

(d) While an individual is employed in a transitional job and during any period of ineligibility between transitional jobs required under par. (b), unless the individual has other employment in the regular labor market for at least 20 hours per week, the individual is required to seek permanent employment, as defined by the department, in the regular labor market.

1. Except as provided in subd. 2., an individual who obtains a transitional job must work at that job at least 8 hours per week but may not work at that job more than 40 hours per week.

2. An individual working in a transitional job who has other employment in the regular labor market may not work at the transitional job more hours than would make his or her total work hours at the transitional job and the other employment more than 40 hours per week.

The department shall determine and specify in a contract whether a contractor under sub. (5) (b) or an employer is the individual's employer of record. The employer of record shall pay the individual for hours actually worked at not less than the federal or state minimum wage, whichever is higher, that applies to the individual.

The department shall pay an employer, or a contractor under sub. (5) (b), that employs an individual in a transitional job at a location in this state for all of the following costs actually incurred by the employer or contractor that are attributable to the employment of the individual in the transitional job:

1. A subsidy equal to the federal minimum wage or the state minimum wage, whichever is higher, for each hour of work actually performed by the individual and for which the employer or contractor has paid the individual a wage, as well as amounts

1. Federal social security and Medicare taxes.

2. State and federal unemployment insurance contributions or taxes, if any.

3. Worker's compensation insurance premiums, if any.

g. An employer, or, subject to the approval of the department, a contractor under sub. (5) (b), that employs an individual participating in the program may pay

1 the individual an amount that exceeds any wage subsidy paid to the employer or
2 contractor by the department under par. (1).

3 (3) The employment of an individual under this section may not do any of the
4 following:

5 1. Have the effect of filling a vacancy created by an employer terminating a
6 regular employee or otherwise reducing its work force for the purpose of hiring an
7 individual under this section.

8 2. Fill a position when any other person is on layoff or strike from the same or
9 a substantially equivalent job within the same organizational unit.

10 3. Fill a position when any other person is engaged in a labor dispute regarding
11 the same or a substantially equivalent job within the same organizational unit.

12 (5) ADMINISTRATION. (a) The department shall administer the program. In
13 addition to any other duties specified in this section, the department shall do all of
14 the following:

15 1. Promulgate any rules necessary for the operation of the program.

16 2. Cooperate with the legislative audit bureau in the performance of the audits
17 under s. 13.94 (1) (r).

18 3. Annually, submit a report on the operation of the program to the legislature
19 under s. 13.172 (2) and to the governor.

20 4. Conduct, or enter into arrangements with independent academic or research
21 organizations to conduct, periodic evaluations of the effectiveness of the program in
22 reducing poverty and unemployment; helping unemployed and underemployed
23 Wisconsin residents gain, through wage-paying employment, the skills needed to
24 move as quickly as possible into unsubsidized employment; and assisting employers
25 in Wisconsin in creating new jobs.

***NOTE: This provision would have much the same effect as the performance evaluation audits under proposed s. 13.94 (1) (r).

which may include

(b) The department shall contract with a person, including a Wisconsin Works agency; county department under s. 46.215, 46.22, or 46.23; local workforce development board established under 29 USC 2832; or community action agency under s. 49.265, in each county to administer the program in that county. The department, or the agency or agencies with which the department contracts under this subsection, shall do all of the following: person or persons

1. Determine the eligibility of applicants for the program.
2. Provide, or identify employers to provide, jobs for individuals transitioning to unsubsidized employment from unemployment, underemployment, limited work history, foster care, or other circumstances identified by the department.
3. Conduct job orientation activities.
4. Provide employment services, as specified by the department, for program participants.
5. Maintain and update participant demographic, eligibility, and employment records in the manner required by the department.

(6) REIMBURSEMENTS. (a) 1. To participate in the program, an individual must agree, in writing, to reimburse the department for all amounts that the department pays to an employer or contractor under sub. (4) (g) that are attributable to the employment of the individual under the program.

2. Notwithstanding subd. 1., an individual is not required to sign a reimbursement agreement or to reimburse the department for amounts paid under sub. (4) (g) on behalf of the individual for time worked in a transitional job while the individual is also participating in a trial employment match program job under s.

1 49.147 (3), including an individual placed in a trial employment match program job
2 under s. 49.159 (1) (b) 2.

3 (b) 1. The department shall promulgate rules establishing the terms and
4 conditions of reimbursement. The rules shall provide for reimbursement by
5 performance of in-kind services and shall set out the criteria for approving in-kind
6 reimbursement.

7 2. The department shall credit all reimbursements paid under this subsection
8 to the appropriation account under s. 20.437 (2) (g).

9 (7) RECOVERY OF OVERPAYMENTS. (a) The department may recover from any
10 individual participating, or who has participated, in the program any overpayment
11 resulting from a misrepresentation by the individual as to any criterion for eligibility
12 under sub. (3).

13 (b) The department shall recover from a contractor under sub. (5) (b) any
14 overpayment resulting from the failure of the contractor to comply with the terms
15 of the contract or to meet performance standards established by the department.

16 **SECTION 8.** 49.175 (1) (k) of the statutes, as affected by 2013 Wisconsin Act 113,
17 is amended to read:

18 49.175 (1) (k) *Transform Milwaukee and Transitional Jobs programs.* For
19 contract costs under the Transform Milwaukee Jobs program and the Transitional
20 Jobs program under s. 49.163, 2013 stats., \$3,750,000 in fiscal year 2013–14 and
21 \$5,000,000 in fiscal year 2014–15.

22 **SECTION 9. Initial applicability.**

23 (1) This act first applies to individuals who apply for the Transitional Jobs
24 program on the effective date of this subsection.

25 **SECTION 10. Effective date.**

1 (1) This act takes effect on July 1, 2015.

2 (END)

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4287/lins
PJK:.....

INSERT A

1563

Under current law, the Department of Children and Families (DCF) is required to establish a Transform Milwaukee Jobs program (program) in Milwaukee County and, to the extent that funding is available, may establish a Transitional Jobs program (program) outside of Milwaukee County in one or more geographic areas in the state with relatively high rates of unemployment and childhood poverty. Under either program, DCF pays an employer, or a person with which DCF contracts to administer the program (contractor), that employs a program participant a wage subsidy that is equal to the wage the employer or contractor pays the participant, up to 40 hours per week at minimum wage. The employer or contractor must employ the participant at least 20 hours per week at a location in this state and pay at least minimum wage, although the employer, or contractor with the approval of DCF, may pay the participant more than the wage subsidy. An individual may participate in a program for a maximum of 1,040 hours, which is equivalent to 26 40-hour weeks. In addition to paying the wage subsidy, DCF may reimburse an employer or contractor for certain taxes, unemployment insurance contributions or taxes, and worker's compensation insurance premiums that are attributable to employment of the participant.

To be eligible to participate in a program, an individual must be at least 18 years old, and, if over 24 years old, must be the parent or primary relative caregiver of a child under the age of 18. The individual must have household income below 150 percent of the poverty line, be unemployed for at least four weeks, be ineligible to receive unemployment insurance benefits, and not be participating in a Wisconsin Works (W-2) employment position. A program participant may be eligible for a child care subsidy under Wisconsin Shares, which generally provides child care subsidies for participants in W-2, if the program participant needs child care services in order to participate in the program.

DCF may administer a program or contract with any person, including a W-2 agency, county department, local workforce development board, or community action agency, to perform administrative functions, including determining eligibility, providing or identifying employers to provide jobs for eligible individuals, providing job orientation and employment services, and maintaining participant demographic, eligibility, and employment records. DCF may recover an overpayment from a participant that results from a misrepresentation about his or her eligibility, and must recover an overpayment from a contractor that results from a failure to comply with the contract or to meet performance standards established by DCF.

This bill replaces the Transform Milwaukee Jobs program and the Transitional Jobs program (former programs) with one statewide program called the Transitional Jobs program (TJP), established for the purposes of helping unemployed and underemployed persons gain, through wage-paying employment, the skills needed to move into unsubsidized employment and assisting employers to create new jobs. To be eligible for TJP, an individual must be a state resident who is at least 18 years old, must have an annual household income below 200 percent of poverty, and must

have

(has) been unemployed or employed for fewer than 30 hours per week, or any

Insert A cont'd 2003

combination of those, for at least four consecutive weeks. In addition, the individual must sign an agreement to reimburse DCF for the amounts that DCF pays under the program to reimburse employers for costs attributable to the individual, except for any amounts that are paid for time the individual works at a job under TJP while the individual is also participating in a trial employment match program job under W-2.

DCF administers TJP and must promulgate rules for its operation, annually submit a report on its operation to the legislature and the governor, and conduct periodic evaluations of its effectiveness. In addition, DCF is required to contract with a person (contractor), which may include a W-2 agency, county department, local workforce development board, or community action agency, to perform administrative functions in each county, including determining eligibility, providing or identifying employers to provide jobs for eligible individuals, providing job orientation and employment services, and maintaining participant demographic, eligibility, and employment records.

Under TJP, if an eligible individual requests a transitional job (TJ) from the contractor in the county in which the individual resides, the individual must be offered a TJ if DCF has provided sufficient funding for the administration of TJP in that county. DCF must establish a waiting list if demand for jobs exceeds the funding available. While there is no limit on how long an individual may participate in TJP, ~~an individual~~ ^{an individual} may work in any one TJ for a maximum of 1040 hours actually worked. An individual with a TJ must work at least eight hours per week but not more than 40 hours per week in the TJ, must wait at least four weeks between TJ^s, and, unless he or she has other employment in the regular labor market for at least 20 hours per week, must seek permanent employment in the regular labor market while working in a TJ and between TJ^s. As under the former programs, a TJP participant may be eligible for a child care subsidy under Wisconsin Shares if he or she needs child care services in order to participate in TJP.

Under TJP, an employer or contractor that employs a TJP participant must pay the participant for hours actually worked at not less than the federal or state minimum wage, whichever is higher. DCF must pay an employer or contractor that employs a TJP participant a subsidy that is equal to the federal or state minimum wage, whichever is higher, for each hour of work actually performed by the individual and for which the employer or contractor has paid the individual a wage, although the employer, or contractor with the approval of DCF, may pay the individual more than the wage subsidy. DCF must also pay the employer or contractor for costs incurred by the employer or contractor that are attributable to the employment of the individual for certain taxes, unemployment insurance contributions or taxes, and worker's compensation insurance premiums.

As under the former programs, DCF may recover an overpayment from a TJP participant resulting from a misrepresentation about eligibility and must recover an overpayment from a contractor resulting from a failure to comply with the contract or to meet performance standards. The bill requires the Legislative Audit Bureau periodically to perform both financial and performance evaluation audits of TJP. The bill appropriates \$50,000,000 of general purpose revenue in fiscal year 2015-16 and \$100,000,000 of general purpose revenue in fiscal year 2016-17 for TJP.

Insert A contd *SB 3*

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

(END OF INSERT A)

Barman, Mike

From: Groshek, Dave
Sent: Tuesday, March 18, 2014 9:12 AM
To: LRB.Legal
Subject: Draft Review: LRB -4287/1 Topic: Transitional Jobs program

Please Jacket LRB -4287/1 for the ASSEMBLY.